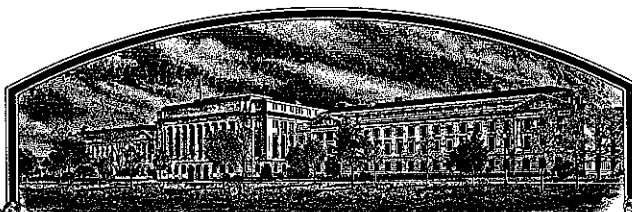


No.

9500258



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

*Terral Seed, Inc.*

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'Terral TV5797'



Attest:

*Martha A. Evans*

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

*In Testimony Whereof, I have herunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this thirtieth day of September in the year of our Lord one thousand nine hundred and ninety-seven.*

*Don Chickman*

Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE DIVISION - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a).

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

## APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME
Terral-Norris Seed Company		TVX 9401	Terral TV5797
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)		5. TELEPHONE (include area code)	<b>FOR OFFICIAL USE ONLY</b> PVPO NUMBER 9500258 DATE July 17, 1995 FILING AND EXAMINATION FEE: \$2325.00 & \$125.00 DATE 07/17/95 & 08/07/95 CERTIFICATION FEE: 300.00 DATE 09/08/97
604 Blount Street Lake Providence, LA 71254		6. FAX (include area code) 318-559-2888	
7. GENUS AND SPECIES NAME	8. FAMILY NAME (Botanical)		
Glycine max	Leguminosae		
9. CROP KIND NAME (Common name) Soybean			
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name) Corporation			
11. IF INCORPORATED, GIVE STATE OF INCORPORATION Louisiana		12. DATE OF INCORPORATION 1953	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Thomas F. Terral P. O. Box 826 Lake Providence, LA 71254			14. TELEPHONE (include area code)
			15. FAX (include area code)
16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)			
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in a public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)			
17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)? <input type="checkbox"/> YES (If "yes," answer items 18 and 19 below) <input checked="" type="checkbox"/> NO (If "no," go to item 20)			
18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO		19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES? <input type="checkbox"/> YES (If "yes," give names of countries and dates) <input checked="" type="checkbox"/> NO			
21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF APPLICANT (Owner(s)) Thomas F. Terral		SIGNATURE OF APPLICANT (Owner(s))	
NAME (Please print or type) Thomas F. Terral		NAME (Please print or type)	
CAPACITY OR TITLE President	DATE 7-28-95	CAPACITY OR TITLE	DATE

**EXHIBIT A****TERRAL-NORRIS SEED COMPANY'S APPLICATION FOR TERRAL TV 5797****ORIGIN AND BREEDING HISTORY**

- |                  |   |  |
|------------------|---|--|
| 1987             | - | Cross made between TN5-85 and DP 415   |
| Winter 1987-1988 | - | F <sub>1</sub> advanced to F <sub>4</sub> in Belize, Central America and the U.S.  |
| 1989             | - | F <sub>4</sub> plants were selected and threshed individually  |
| 1990             | - | F <sub>5</sub> plant rows were grown. Plant row number 90-32159 was selected, composited, and determined to be stable and breeding true for characteristics described in exhibit "C" in this application. No variants were found or have been found. |
| 1991             | - | Selection 90-32159 was tested in preliminary tests.  |
| 1992             | - | Tested in advanced tests at 12 locations.  |
| 1993             | - | Tested in advanced tests at 14 locations, Increased further.   |
| 1994             | - | Tested in state experiment station and Terral-Norris trials as TVX 9401  |
| 1995             | - | Tested in state experiment station trials as Terral TV 5797 and released.  |

**EXHIBIT B****TERRAL-NORRIS SEED COMPANY'S APPLICATION FOR TERRAL TV 5797****NOVELTY STATEMENT**

To our knowledge, Terral TV 5797 most closely resembles A5979. Differences include the following:

- a) Terral TV 5797 is resistant to stem canker and A5979 is susceptible.
- b) Terral TV 5797 is resistant to race 3 soybean cyst nematode and A5979 has resistance to both races 3 and 14.

RECEIVED  
JUL 17 1997  
TERRAL-NORRIS SEED COMPANY

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MARYLAND 20705

FORM NO. 100-10000 UMB NO. 0051-0056

EXHIBIT C  
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY  
SOYBEAN (*Glycine max* L.)

NAME OF APPLICANT(S) TERRAL-NORRIS SEED COMPANY	TEMPORARY DESIGNATION TVX 9401	VARIETY NAME TERRAL TV 5797
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) 604 Blount Street Lake Providence, LA 71254		FOR OFFICIAL USE ONLY PVPO NUMBER 9500258

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero in the first box when number is 9 or less (e.g.,  ). Starred characters ★ are considered fundamental to an adequate soybean variety description. Other characters should be described when information is available.

1. SEED SHAPE:



1 - Spherical (L/W, L/T, and T/W ratios = < 1.2)  
3 - Elongate (L/T ratio > 1.2; T/W = < 1.2)

2 - Spherical Flattened (L/W ratio > 1.2; L/T ratio = < 1.2)  
4 - Elongate Flattened (L/T ratio > 1.2; T/W > 1.2)

★ 2. SEED COAT COLOR: (Mature Seed)

1 - Yellow      2 - Green      3 - Brown      4 - Black      5 - Other (Specify) \_\_\_\_\_

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

1 - Dull ('Consoy 79'; 'Braxton')      2 - Shiny ('Nebsoy'; 'Gasoy 17')

★ 4. SEED SIZE: (Mature Seed)

Grams per 100 seeds

★ 5. HILUM COLOR: (Mature Seed)

1 - Buff      2 - Yellow      3 - Brown      4 - Gray      5 - Imperfect Black      6 - Black      7 - Other (Specify) \_\_\_\_\_

★ 6. COTYLEDON COLOR: (Mature Seed)

1 - Yellow      2 - Green

★ 7. SEED PROTEIN PEROXIDASE ACTIVITY:

1 - Low      2 - High

★ 8. SEED PROTEIN ELECTROPHORETIC BAND:

1 - Type A (SP1<sup>a</sup>)      2 - Type B (SP1<sup>b</sup>)

★ 9. HYPOCOTYL COLOR:

1 - Green only ('Evans'; 'Davis')      2 - Green with bronze band below cotyledons ('Woodworth'; 'Tracy')  
3 - Light Purple below cotyledons ('Beeson'; 'Pickett 71')  
4 - Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 266A')

★ 10. LEAFLET SHAPE:

1 - Lancolate      2 - Oval      3 - Ovate      4 - Other (Specify) \_\_\_\_\_

9500258

BRITISH AGRICULTURAL RESEARCH  
COUNCIL INTERNATIONAL

## 11. LEAFLET SIZE:

2

1 - Small ('Amsoy 71'; 'A5312')  
3 - Large ('Crawford'; 'Tracy')

2 - Medium ('Corsoy 79'; 'Gasoy 17')

## 12. LEAF COLOR:

2

1 - Light Green ('Weber'; 'York')  
3 - Dark Green ('Gnome'; 'Tracy')

2 - Medium Green ('Corsoy 79'; 'Braxton')

## ★ 13. FLOWER COLOR:

1

1 - White

2 - Purple

3 - White with purple throat

## ★ 14. POD COLOR:

1

1 - Tan

2 - Brown

3 - Black

## ★ 15. PLANT PUBESCENCE COLOR:

1

1 - Gray

2 - Brown (Tawny)

## 16. PLANT TYPES:

2

1 - Slender ('Essex'; 'Amsoy 71')  
3 - Bushy ('Gnome'; 'Govan')

2 - Intermediate ('Amcor'; 'Braxton')

## ★ 17. PLANT HABIT:

1

1 - Determinate ('Gnome'; 'Braxton')

2 - Semi-Determinate ('Will')

3 - Indeterminate ('Nebsoy'; 'Improved Pelican')

## ★ 18. MATURITY GROUP:

0 8

1 - 000

2 - 00

3 - 0

4 - I

5 - II

6 - III

7 - IV

8 - V

9 - VI

10 - VII

11 - VIII

12 - IX

13 - X

## ★ 19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

## BACTERIAL DISEASES:

★

2

Bacterial Pustule (*Xanthomonas phaseoli* var. *sojensis*)

★

0

Bacterial Blight (*Pseudomonas glycinea*)

★

0

Wildfire (*Pseudomonas tabaci*)

## FUNGAL DISEASES:

★

0

Brown Spot (*Septoria glycines*)Frogeye Leaf Spot (*Cercospora sojina*)

★

0

Race 1

0

Race 2

0

Race 3

0

Race 4

0

Race 5

1

Other (Specify)

Races unknown

0

Target Spot (*Corynespora cassiicola*)

0

Downy Mildew (*Peronospora trifoliorum* var. *manshurica*)

0

Powdery Mildew (*Microsphaera diffusa*)

★

0

Brown Stem Rot (*Cephalosporium gregatum*)

2

Stem Canker (*Diaporthe phaseolorum* var. *caulivora*)95  
JUL 17 AMO 47  
RECEIVED  
USDA-AMS-PVPO

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

FUNGAL DISEASES: (Continued)

★ ☐ 0 Pod and Stem Blight (*Diaporthe phaeocolarum* var. *sojae*)

☐ 0 Purple Seed Stain (*Cercospora kikuchii*)

☐ 0 Rhizoctonia Root Rot (*Rhizoctonia solani*)

Phytophthora Rot (*Phytophthora megasperma* var. *sojae*)

★ ☐ 1 Race 1 ☐ 0 Race 2 ☐ 1 Race 3 ☐ 0 Race 4 ☐ 0 Race 5 ☐ 0 Race 6 ☐ 0 Race 7  
☐ 0 Race 8 ☐ 0 Race 9 ☐ 0 Other (Specify) \_\_\_\_\_

VIRAL DISEASES:

☐ 0 Bud Blight (Tobacco Ringspot Virus)

☐ 0 Yellow Mosaic (Bean Yellow Mosaic Virus)

★ ☐ 0 Cowpea Mosaic (Cowpea Chlorotic Virus)

☐ 0 Pod Mottle (Bean Pod Mottle Virus)

★ ☐ 0 Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

Soybean Cyst Nematode (*Heterodera glycines*)

★ ☐ 0 Race 1 ☐ 0 Race 2 ☐ 2 Race 3 ☐ 0 Race 4 ☐ 1 Other (Specify) Race 14

☐ 0 Lance Nematode (*Hoplodaimus Colombus*)

★ ☐ 2 Southern Root Knot Nematode (*Meloidogyne Incognita*)

★ ☐ 0 Northern Root Knot Nematode (*Meloidogyne Hapti*)

☐ 1 Peanut Root Knot Nematode (*Meloidogyne arenaria*)

☐ 0 Reniform Nematode (*Rotylenchulus reniformis*)

☐ OTHER DISEASE NOT ON FORM (Specify): \_\_\_\_\_

20. PHYSIOLOGICAL RESPONSES: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

★ ☐ 2 Iron Chlorosis on Calcareous Soil

☐ Other (Specify) \_\_\_\_\_

21. INSECT REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

☐ 1 Mexican Bean Beetle (*Epilachna varivestis*)

☐ 2 Potato Leaf Hopper (*Empoasca fabae*)

☐ Other (Specify) \_\_\_\_\_

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	A5979	Seed Coat Luster	DP 3682
Leaf Shape	A5979	Seed Size	DP415
Leaf Color	A5979	Seed Shape	DP415
Leaf Size	DP415	Seedling Pigmentation	DP415

## EXHIBIT D

### TERRAL SEED, INC. APPLICATION FOR TERRAL TV5797

#### ADDITIONAL DESCRIPTION OF VARIETY

**Terral TV5797** is an F<sub>4</sub> selection and a composite in the F<sub>5</sub> from the cross TN5-85 X DP 415. It is similar in appearance and maturity to Asgrow A5979. It shows broad adaptation with good performance in the Mid-South and South-East. It has plants with a relative maturity of 5.8 that exhibit a determinate growth habit that average 34 inches tall at maturity with tan pods, gray pubescence, and white flowers. Seeds have buff hila and average 2900 per pound. TV5797 has resistance to bacterial pustule, stem canker, race 3 of the soybean cyst nematode. It carries moderate resistance to the root rot nematode. It is susceptible to races 1 and 3 of phytophthora root rot and frogeye leaf spot. It produces an intermediate reaction for propanil injury, an intermediate to tolerant reaction for metribuzin injury, and is an includer for chloride sensitivity. TV5797 contains an average of 37.6% protein and 17.7% oil.



U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP**

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S)  Terral Seed, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  TVX 9401	3. VARIETY NAME  Terral TV5797
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)  P.O. Box 826 604 Blount St. Lake Providence, LA 71254	5. TELEPHONE (include area code)  (318) 559-2840  7. PVPO NUMBER	6. FAX (include area code)  (318) 559-2888

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain.

☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company?  
If no, give name of country

☒ YES ☐ NO

10. Is the applicant the original breeder? If no, please answer the following:

☐ YES ☒ NO

a. If original rights to variety were owned by individual(s):  
Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country

b. If original rights to variety were owned by a company:  
Is the original breeder(s) U.S. based company? If no, give name of country

☒ YES ☐ NO

11. Additional explanation on ownership (If needed, use reverse for extra space):

Terral Seed, Inc. is the owner of Terral TV5797 through purchase of the variety.

**PLEASE NOTE:**

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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